

# **EXHIBIT 78**

# Kia Motors America

## Consumer Affairs Department

Page 1 of 4

<u>Last name</u>	<u>First name</u>	<u>VIN of 2014 CADENZA</u>	<u>Case Number</u>	<u>Mileage</u>
<b>REDACTED</b>		KNALN4D79E5 <b>REDACTED</b>	K2858234	1,952
Port Oconnor, TX 77982		Prod. Date: 4/7/14	Dealer: TX118 Victory Kia	

Kia Case Type Lvl1: Complaint

Kia Case Type Lvl3: Interior

Kia Case Type Lvl2: Quality

Kia Case Type Lvl4: Sunroof Breakaway

**Case History**

\*\*\* PHONE LOG 12/23/2014 12:59 PM US Mountain Standard Time MHill

Writer contacts SVC TX118 and states

1. Calling in regards to sunroof shattering

Walter Svc Mgr states

1. RO# and open date: 88044 12/19

2. Big chunk of glass hit the middle, trunk has gouges on the outside

3. Driving 2015 Optima

\*\*\* PHONE LOG 12/23/2014 01:01 PM US Mountain Standard Time MHill Action Type:Outgoing call

Writer leaves message for **REDACTED** stating

1. Calling in regards to sunroof shattering

2. Wanted to ask a few questions

3. Requested callback

4. Provided case #, ext, and 855#

[!&lt;For Internal Use Only

If customer calls back in, please complete sunroof scripting, dispatch to ROADSIDE queue&gt;!]

\*\*\* NOTES 12/26/2014 08:30 AM US Mountain Standard Time MHill Action Type:Dealer contact

\*\*DUPLICATE CASE NOTES FROM K2858578\*\*

Techline case (T2858127) created on 2014-12-23 18:07:30 by Victory Kia.

Please contact dealership and customer to see if any further assistance can be provided and that the concerns have been addressed. Thank You.

--For Reference--

TL Case created by (Dealer Technician) : Ben Gonzales

TL Case creator phone : \*1211131155\_234291

TL Case creator email : marshall\_lane\_tx@yahoo.com

Below are the notes from the TL case describing the concern:

\*\*\* Performed by contact: Ben Gonzales, \*1211131155\_234291

\*\*\* This is a Request for Assistance \*\*\*

Problem Description :

sun roof exploded, the sun roof was closed windows closed, customer had been driving for 15-20 mins over bridge with no cars around at 55mpp

Diagnostics Performed :

district service manager asked to contact national customer relations

\*\*END DUPLICATE CASE NOTES\*\*

\*\*\* NOTES 12/26/2014 08:49 AM US Mountain Standard Time KJohnson Action Type:Internal

[!&lt;For Internal Use Only

**1070**

# Kia Motors America

## Consumer Affairs Department

Page 2 of 4

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script would not permit any entries. Following are the answers to the questions of the script.>[!]

\*\*\* PHONE LOG 12/26/2014 09:23 AM US Mountain Standard Time KJohnson Action Type:Incoming call

Customer called in

Meagan not available

Writer yanked case

Writer:

- 1 - introduced self
- 2 - apologized, meagan is not available
- 3 - I will help you
- 4 - I need to get details about what happened
- 5 - can you give me a few minutes? [yes]
- 6 - ran script

Customer stated:

- 1 - she owns vehicle and was driving
- 2 - there are no passengers
- 3 - confirmed phone number; stated mailing address is **REDACTED**
- 4 - She is 49 years old
- 5 - She has only had the vehicle and there has been no impact of any kind to the vehicle
- 6 - This happened 12/19/14 around noon
- 7 - It was raining heavily, but there was no sleet or hail
- 8 - She was on the causeway on hwy 35, travelling from port la vaca, tx to port comfort, tx
- 9 - the causeway is 4 lane, two lanes in each direction, and has guardrails
- 10 - it is paved and in good condition; there is no place to pull over and stop; there was no construction, no barriers, no overpass
- 11 - customer was travelling 50 - 55 mph
- 12 - traffic was light
- 13 - there was no traffic to her side or in front of me
- 14 - there were a couple of cars headed in the opposite direction; there were no tractor trailers or trucks around
- 15 The sunroof outside was closed; it was raining
- 16 - the fabric shade was open so I could see out
- 17 - I was not operating the sunroof at the time

- 18 - I heard a large boom
- 19 - I work at a plant, so I thought there was a small explosion
- 20 - Some glass hit me on my head; I don't remember the size
- 21 - It was in my hair
- 22 - It started raining in and the wind noise was very loud
- 23 - I realized what happened, but I couldn't stop on the causeway
- 24 - I swerved a little right when this happened; I was shocked; fortunately no one was next to me
- 25 - I swerved a little right when it happened; luckily no one was next to me
- 26 - I was trying to close the sun shade; small pieces of what I think was glass were falling down around me
- 27 - I think I got a piece in my eye, but I washed it out really well with eye drops and have not had any trouble with that
- 28 - As soon as I got to the end of the causeway, I called my husband
- 29 - We did not call the police

# 1071

# Kia Motors America

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Page 3 of 4

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30 - We have not reported this to our insurance company

31 - It broke from the inside out

32 - You can tell by how the glass is bent up and from the pictures I have

33 - No rock or debris hit or fell into the car

34 - Front glass panel broke

35 - Nothing was on top of the car

36 - I have never put anything on top of the car

37 The car is at Victory Kia

38 They gave me an Optima to drive

39 - I have no idea about the repairs

40 - I do not know who is what

41 - I am not happy with this at all

42 - I paid for a brand new, loaded vehicle

43 - Not only did the sunroof explode outward for no reason, but rain came in and pieces of glass

44 - I don't want that car back

45 - I want a new car

46 - I DO NOT WANT THAT CAR BACK

47 - I COULD HAVE BEEN KILLED

48 - Y'all need to take it in the shop and look at it so this does not happen to someone else

Writer:

1 - Apologized

2 - I will forward this to appropriate dept., which will contact you in 2 business days

Customer:

1 - OK

\*\*\* NOTES 12/26/2014 11:39 AM US Mountain Standard Time KJohnson Action Type: Manager review

Writer dispatching to NCA

(a) for appropriate case handling

(b) to contact customer

Because

1 - 2014 Cadenza, 2K, orig owner

2 - customer alleges sunroof shattered while driving

\*\*\* PHONE LOG 12/29/2014 07:56 AM US Mountain Standard Time RChacon Action Type: Outgoing call

**REDACTED** stated:

1. I am calling to speak with someone regarding case, gave case #

Writer stated:

1. I apologize for the concern

2. I see you spoke with CS KJohnson on Friday regarding Cadenza

3. I see case has been sent to appropriate dept for further contact

4. It does take approx 48 business hrs for contact

# 1072

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Page 4 of 4

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5. You may receive contact today or tomorrow

Customer stated:

1. Okay, I'll wait
2. Thank you

\*\*\* NOTES 12/29/2014 09:47 AM Pacific Daylight Time JeffStroup Action Type:Dealer contact  
Walter at TX118 will email photos of vehicle

\*\*\* NOTES 12/29/2014 10:42 AM Pacific Daylight Time JeffStroup Action Type:Dealer contact  
wtr recieved pictures from dlr.

\*\*\* PHONE LOG 12/29/2014 10:51 AM Pacific Daylight Time JeffStroup Action Type:Outgoing call  
wtr spoke with **REDACTED** and stated:

1. calling in reference to vehicle
2. we had the dealer send photos for review
3. we were unable to determinte a cause of the shatter,
4. with that, we would like to offer to goodwill the repair and it would be no charge to you.

**REDACTED** stated:

1. i will need to speak with my husband and call you back'
2. it was raining, im sure it got wet in the inside

wtr stated:

1. i will also contact the dealer to confirm repairs

\*\*\* NOTES 12/29/2014 10:51 AM Pacific Daylight Time JeffStroup Action Type:Dealer contact  
wtr spoke with Walter at TX118

1. interior is ok, no wetness at all
2. there is scratch on trunk from a chip
3. customers son is salesman at drl

\*\*\* NOTES 01/02/2015 08:46 AM Pacific Daylight Time JeffStroup Action Type:Dealer contact  
wtr spoke with Walter at TX118

1. dealer and customer have spoke
2. dealer has ordered parts and should arrive Monday
3. dealer will email copy of repair order to wtr once completed.

\*\*\* NOTES 01/08/2015 10:39 AM Pacific Daylight Time JeffStroup Action Type:Dealer contact  
wtr recieved fax from dlr that vehicle has been completed.

# 1073

\*\*\* CASE CLOSE 01/27/2015 09:34 AM Pacific Daylight Time JeffStroup

## Broken Sunroof Report

Case K2858234

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### Report Details

End

0 .

*No response selected.*

1 . **Name of vehicle owner:**

*No response selected.*

2 . **Address of vehicle owner:**

*No response selected.*

3 . **Phone number of vehicle owner:**

*No response selected.*

4 . **Name of driver:**

*No response selected.*

5 . **Address of driver:**

*No response selected.*

6 . **Phone number of driver:**

*No response selected.*

7 . **What is the age of the driver?**

*No response selected.*

8 . **Does the vehicle have any history of any type of impacts (e.g., collision, stone strikes, or road**

*No response selected.*

9 . **Please describe the type of impact(s) the vehicle has experienced:**

*No response selected.*

**1074**

10 . What was the date of the incident (<MM/DD/YYYY>)?

*No response selected.*

11 . What time of day did the incident occur (<HH:MM> <AM/PM>)?

*No response selected.*

12 . What was the weather condition (rain/sleet/hail, temperature, wind)?

*No response selected.*

13 . Where did the incident occur? (e.g., highway, road, garage, parking lot, etc.)

*No response selected.*

14 . Provide name of road, highway or address:

*No response selected.*

15 . What was the nearest mile market/exit name or cross-street from the incident location?

*No response selected.*

16 . What direction was the vehicle facing/heading?

*No response selected.*

17 . How fast was the vehicle moving (MPH/Stationary)?

*No response selected.*

18 . Describe traffic conditions around you [how close was the nearest vehicle to you and what type of

*No response selected.*

19 . What was the condition of the highway/interstate? (e.g., freshly paved, some roughness, had some

*No response selected.*

20 . Were there structures or trees in the vicinity of the vehicle? (e.g., walls, bridges, abutments,

*No response selected.*

**1075**

21 . How long had the vehicle been parked or stopped when the incident occurred?

*No response selected.*

22 . Was the sunroof OPEN or CLOSED at the time of the incident?

*No response selected.*

23 . Was it tilted up (vent mode) or slid open?

*No response selected.*

24 . Estimate the amount open as a percentage.

*No response selected.*

25 . Were you operating the sunroof switch at the time the glass broke?

*No response selected.*

26 . What operation were you performing when the glass broke?

*No response selected.*

27 . Did you see and/or hear the sunroof glass break?

*No response selected.*

28 . Please describe what you saw or heard at the time of the breakage.

*No response selected.*

29 . Which glass panel broke? (On 2011-2013 Sorento, there are two glass panels: a moving front panel

*No response selected.*

30 . Was the sunshade OPEN or CLOSED at the time of the incident?

*OPEN*

31 . Have you ever put anything on the roof of your vehicle (including items on the roof rack)?

*No response selected.*

**1076**



32 . What types of things have been on your roof and how often?

*No response selected.*

33 . Was anything on your roof at the time of the incident?

*No response selected.*

34 . What was the item placed on the roof?

*No response selected.*

35 . Prior to the incident, when was the last time you put something on your roof?

*No response selected.*

36 . Were there any passengers inside the vehicle at the time of the incident?

*No*

37 . For each seating position, what was the age and name of who was in that position?

*No response selected.*

38 . Did anyone get glass on them at the time of the incident?

*Yes*

39 . Was anyone injured as a result of the incident?

*No*

44 . Were the police contacted?

*No response selected.*

45 . Please provide the name of the reporting officer:

*No response selected.*

46 . Officer's badge number:

*No response selected.*

**1077**

**47 . Police report number:**

*No response selected.*

**48 . Which police department and/or phone number:**

*No response selected.*

**49 . Was the insurance company contacted?**

*No*

**58 . Was the vehicle driven or towed following the incident?**

*Driven*

**59 . Where is the vehicle now?**

*No response selected.*

**60 . Have sunroof repairs been completed, or has the broken sunroof been altered since the incident**

*No response selected.*

**61 . What action are you requesting of Kia?**

*No response selected.*

**1078**